

§ 52.1324

40 CFR Ch. I (7–1–12 Edition)

§ 52.1324 [Reserved]

§ 52.1325 Legal authority.

(a) [Reserved]

(b) The requirements of § 51.232(b) of this chapter are not met since the following deficiencies exist in local legal authority.

(1) St. Louis County Division of Air Pollution Control:

(i) Authority to require record-keeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to make emission data available to the public is inadequate because section 612.350, St. Louis County Air Pollution Control Code, requires confidential treatment in certain circumstances if the data concern secret processes (§ 51.230(f) of this chapter).

(2) St. Louis City Division of Air Pollution Control:

(i) Authority to require record-keeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to require reports on the nature and amounts of emissions from stationary sources is lacking (§ 51.230(e) of this chapter).

(iii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to make emission data available to the public is inadequate because Section 39 of Ordinance 54699 requires confidential treatment in certain circumstances if the data relate to production or sales figures or to processes or production unique to the owner or operator or would tend to affect adversely the competitive position of the owner or operator (§ 51.230(f) of this chapter).

(3) Kansas City Health Department:

(i) Authority to require record-keeping is lacking (§ 51.230(e) of this chapter).

(4) Independence Health Department:

(i) Authority to require record-keeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to make emission data available to the public is lacking since section 11.161 of the code of the city of Independence requires confidential treatment in certain circumstances if the data relate to secret processes or trade secrets affecting methods or re-

sults of manufacture (§ 51.230(f) of this chapter).

(5) Springfield Department of Health:

(i) Authority to abate emissions on an emergency basis is lacking (§ 51.230(c) of this chapter).

(ii) Authority to require record-keeping is lacking (§ 51.230(e) of this chapter).

(iii) Authority to make emission data available to the public is inadequate because section 2A-42 of the Springfield City Code requires confidential treatment of such data in certain circumstances (§ 51.230(f) of this chapter).

(c) The provisions of § 51.230(d) of this chapter are not met since statutory, authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

[37 FR 23090, Oct. 28, 1972, as amended at 39 FR 7282, Feb. 25, 1974; 51 FR 13001, Apr. 17, 1986; 51 FR 40676, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§ 52.1326 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source and each unit located in the State of Missouri and for which requirements are set forth under the TR NO_x Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Missouri's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of Missouri's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO_x Annual allowances

under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_x Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of Missouri and for which requirements are set forth under the TR NO_x Ozone Season Trading Program in subpart BBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Missouri's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of Missouri's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO_x Ozone Season allowances under subpart BBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_x Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48369, Aug. 8, 2011, as amended at 76 FR 80775, Dec. 27, 2011]

§ 52.1327 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of Missouri and for which requirements are set forth under the TR SO₂ Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Missouri's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Missouri's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO₂ Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO₂ Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48369, Aug. 8, 2011]

§§ 52.1326–52.1334 [Reserved]

§ 52.1335 Compliance schedules.

(a) The compliance schedule for the source identified below is approved as a revision to the plan pursuant to § 51.104 and subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MISSOURI

Source	Location	Regulation involved	Adopted date	Effective date	Final compliance date
Pilot Knob Pelletting Co	Pilot Knob, MO	V(10 CSR 10–3.050).	Oct. 19, 1977 ..	Immediately	Dec. 31, 1982.